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S.N. 09/988,102

#### REMARKS

Continued examination is respectfully requested in view of the following remarks.

#### Allowable Subject Matter

The Applicants note with appreciation the Examiner's indication of allowable subject matter. In particular, claims 25-28 have been allowed, while claims 5-7, 9-12, 14-16, 26-28, and 31-33 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### Disposition of Claims

Claims 1-36 are pending in the instant application. However, claims 17-24 have been withdrawn from consideration based on the Applicants' provisional election of these claims in response to the restriction requirement applied by the Examiner in his Office Action dated July 2, 2003, while new claims 34-36 have been added by the present amendment. As noted above, claims 5-7, 9-12, 14-16 and 31-33 have been objected to as being as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Finally, claims 1-4, 8, 13, 29 and 30 have been rejected based on prior art.

#### Summary of Prior Art Rejections

The Examiner rejected claims 1-4, 8, and 13 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,236,002 to Martin et al. ("Martin") in view of U.S. Patent No. 5,390,744 to

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McHugh ("McHugh"). In addition, the Examiner has rejected claim 29 under 25 U.S.C. §102(b) as being anticipated by McHugh.

**Claimed Invention Is Patentable Over Martin in view of McHugh.**

As noted above, the Examiner rejected claims 14, 8 and 13 under 35 U.S.C. §103(a) as being unpatentable over Martin in view of McHugh.

The Examiner asserts that the Martin reference discloses a single piece manifold for a fire sprinkler system comprising a body defining a conduit therethrough, an inlet to the conduit for connecting the manifold to a supply of water, a conduit for connecting the manifold to a fire sprinkler system in which the conduit for the domestic water supply for preventing water from flowing through the conduit to the fire sprinkler system acts as a vent passage in communication with the conduit for the domestic water supply when there is a pressure surge in the water supply.

Although the Examiner admits that the Martin reference does not teach a main valve and a check valve arrangement, the Examiner contends that the McHugh reference teaches a fire suppression system comprising a conduit 30, an inlet to the conduit for connecting the conduit to a water supply, a main valve, and a check valve arrangement in the conduit for preventing reflux of water back into the water supply in which the check valve arrangement comprises a first check valve and a second check valve. Finally, the Examiner contends that the McHugh reference teaches a fire alarm means responsive to the movement of the second check valve.

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The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified the device of Martin by providing a main valve to allow or prevent water flow into the manifold and providing a check valve arrangement in the conduit to prevent reflux of water back into the water supply as taught by McHugh. Further, the Examiner concludes that the Martin reference allegedly teaches the concept of venting water through another conduit when there is a pressure surge in the water in order to protect a water distribution system.

A review of the Martin reference discloses a dual purpose water valve that is adapted for switching a water supply between piping for a fire protection system and a domestic water system. The domestic water system controls the everyday usage in a household such as faucets, showers and the like, while the fire protection system controls the fire sprinklers. The water valve disclosed in the Martin reference comprises a poppet valve which directs and restricts the flow of water to either the fire protection system or the domestic water system, but not both systems at the same time. In particular, the poppet valve is constructed to provide for concentric co-axial passageways, which respectively permit flow of water to either the fire protection system and domestic water system. In particular, the poppet valve of Martin has a means for shutting off the flow to the piping of the domestic water system (i.e. outer passageway) when the fire protection system is in use because the pressure of flowing water to the fire protection system drives the poppet valve upward. This driving action permits water to flow within an inner passageway and out the fire protection system. Similarly, a surge in water pressure from the water supply source will drive the poppet valve upward, thereby opening the

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passageway to the fire protection system and closing the outer passageway to the domestic water system.

In response, the Applicants have amended independent claim 1 to recite the further limitation that the vent passageway is in communication with the conduit for preventing water from flowing on through to the fire sprinkler system when there is a pressure surge in the water supply. Neither the McHugh nor the Martin references teach or suggest such a limitation since the outer passageway in Martin permits water to travel through the conduit to the fire sprinkler system, rather than prevent water from traveling through the conduit past the second valve as presently claimed by the Applicants.

In other words, if the Examiner deems the outer passageway of Martin to be a vent passageway, this outer passageway is not used to prevent water from flowing through the conduit as presently claimed by the Applicants, but rather permits water to travel through the conduit on to the fire protection system when there is a water pressure surge. This structural arrangement disclosed by Martin is in contrast to the Applicants' single piece manifold recited in independent claim 1 which as presently amended provides for a vent passageway to prevent water from travelling on through to the fire sprinkler system when there is a water pressure surge.

Based on the foregoing, neither reference, alone or in combination, teaches nor suggests the limitations of independent claim 1 as presently amended and the Examiner is respectfully requested to withdraw his rejection of the claim 1 as well as dependent claims 2-4, 8 and 13 by virtue of their respective dependencies to independent claim 1.

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Claimed Invention Is Not Anticipated by McHugh.

The Examiner rejected claim 29 under 35 U.S.C. §102(b) as being anticipated by McHugh.

The Examiner has maintained his rejection of independent claim 29 and asserts that McHugh discloses a single piece manifold for a fire sprinkler system comprising the limitations of claim 29 including a means for preventing the sounding of false alarms using a valve.

In response, the Applicants have amended independent claim 29 to recite that the single-piece manifold further comprises first and second valves disposed in the flowpath and that the means for preventing the sounding of a false alarm by opening of the second valve caused by a pressure surge in the flowpath and comprising a vent passageway in communication with an area formed between the first and second valves with the vent passageway having one end open to atmosphere to allow the pressure surge to dampen so that the second valve will not open and sound a false alarm.

In contrast, the McHugh reference does not disclose any of these specific structural limitations for a means that prevents false alarms using a vent passageway having one end open to atmosphere and another to a space formed between the first and second valves as presently amended in independent claim 29.

Based on the foregoing, the Examiner is respectfully requested to withdraw his rejection of independent claim 29 as presently amended and indicate the allowablility thereof.

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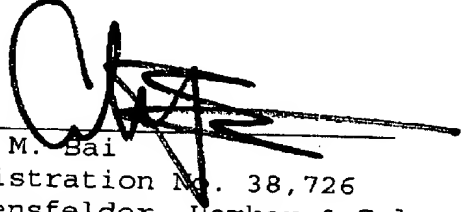
### CONCLUSION

By the present response, the Applicants have made remarks and amendments responsive to the Examiner's rejection of the claims. In particular the Applicants have presented remarks and made amendments that distinguish independent claims 1 and 29 over the cited prior art. Accordingly, the application is believed to be in a condition for allowance and expeditious notice thereof is earnestly solicited.

The Examiner is requested to call the undersigned attorney collect if he has any questions related to the Applicants' remarks and/or amendments.

Respectfully submitted,

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Date

  
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